

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

In the Matter of the Joint Application of SBC Communications Inc. ("SBC") and AT&T Corp. ("AT&T") for Authorization to Transfer Control of AT&T Communications of California (U-5002), TCG Los Angeles, Inc. (U-5462), TCG San Diego (U-5389), and TCG San Francisco (U-5454) to SBC, Which Will Occur Indirectly as a Result of AT&T's Merger With a Wholly-Owned Subsidiary of SBC, Tau Merger Sub Corporation.

Application 05-02-027  
(Filed February 28, 2005)

**ADMINISTRATIVE LAW JUDGE'S RULING  
GRANTING MOTIONS TO FILE DOCUMENTS UNDER SEAL  
AND MOTIONS TO INTERVENE**

This ruling grants the procedural motions of various parties that have been filed in this proceeding, as specified below.

**Motions to File Confidential Materials Under Seal**

A number of motions have been filed seeking leave to file certain documents designated as confidential under seal. No parties have filed responses opposing these requests to file under seal the materials that have been designated as confidential. Accordingly, the motions to file the referenced documents under seal, as specifically identified in the appendix to this ruling, are hereby granted. The appendix sets forth a listing of documents addressed in this ruling that have been filed with the Commission's Docket Office. A list of the specific motions and documents filed under seal that are granted by this ruling are set forth in the attachment to this ruling.

### **Motion to Intervene**

Earthlink, Inc. filed a motion to intervene in the proceeding concurrently with its filing of comments on the Proposed Decision of Commissioners Peevey and Kennedy and on the Proposed Decision of the Assigned ALJ. No party objects to the motion to intervene. Accordingly, the motion of Earthlink, Inc. to intervene is hereby granted.

#### **IT IS RULED that:**

1. The motions to file documents designated as “confidential” and/or “highly confidential” on a proprietary basis under seal, as referenced in the attachment to this ruling, are hereby granted.
2. The motion to intervene filed by Earthlink, Inc. is hereby granted.

Dated November 16, 2005, at San Francisco, California.

/s/ THOMAS R. PULSIFER

Thomas R. Pulsifer  
Administrative Law Judge

**APPENDIX**

**Appendix of Confidential Documents Covered by this Ruling**

<b><u>Moving Party</u></b>	<b><u>Date Filed</u></b>	<b><u>Description of Confidential Documents</u></b>
TURN	11/8/2005	Proprietary version of comments on Proposed and Alternate Decisions
Qwest	11/4/2005	Confidential materials containing market share information attached to notice of ex parte communications filed
Telscape Communications	11/4/2005	Written materials containing market share information attached to notice of ex parte communications filed Concurrently
SBC Callifornia	11/3/2005	Hand-out copy of unredacted AG opinion from SBC ex parte meeting notice concurrently filed
Telscape Communications	10/3/2005	Written materials containing market share information attached to notice of ex parte communications filed Concurrently
Qwest	9/13/2005	Unredacted motion to strike portions of Applicants' Opening Brief
Level 3 Commuications	9/30/2005	Written materilas attached to ex parte communications notice filed concurrently
ORA	9/19/2005	Unredacted version of ORA reply brief considered "highly confidential/lawyers-only"
Applicants	9/19/2005	Unredacted version of Applicants' reply brief
Qwest	9/19/2005	Unredacted version of Qwest's reply brief
TURN	9/19/2005	Unredacted version of TURN's reply brief
Applicants	9/15/2005	Unredacted response to Qwest Motion to Strike Portions of Applicants' Opening Brief
Qwest	8/23/2005	Unredacted response of Qwest Communications Corporation to Oppposition to SBC to admission of hearing Exh. 142 and 142C
Telscape Communications	9/20/2005	Written materilas attached to ex parte communications notice filed concurrently

**(END OF APPENDIX)**

## **CERTIFICATE OF SERVICE**

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Granting Motions to File Documents Under Seal and Motions to Intervene on all parties of record in this proceeding or their attorneys of record.

Dated November 16, 2005, at San Francisco, California.

/s/ FANNIE SID

Fannie Sid

## **N O T I C E**

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.